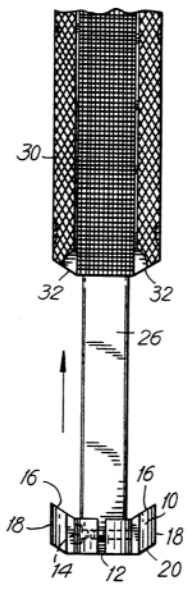


APPENDIX 3 to PLAINTIFFS' FINAL INVALIDITY CONTENTIONS

Aluotto, U.S. Patent No. 5,341,586 (filed Apr. 7, 1992, issued Aug. 30, 1994), in light of Bross, U.S. Patent No. 4,495,720 (filed Dec. 1, 1982, issued Jan. 29, 1985)

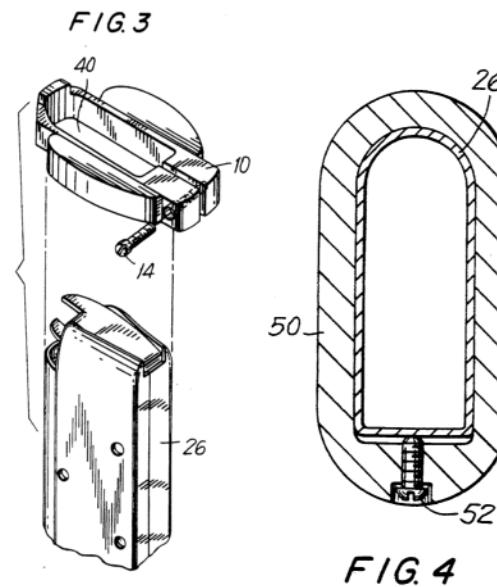
Language from Patent-In-Suit	Disclosure in Reference
<p>1. A grip extender in combination with a handgun, comprising:</p>	<p>Aluotto, Col. 1, ll. 43-46: “The present invention is a stock extender designed to lengthen the stock of a small handgun by a nominal amount, so that all fingers of a larger-handed user may take part in gripping the stock during use of the gun.”</p> <p>Aluotto, Fig. 1:</p> 
<p>a handgun using a variety of different model magazines,</p>	<p>Aluotto, Col. 1, ll. 47-50: “The invention may find application with handguns of the variety which are loaded and unloaded by inserting an ammunition-bearing magazine into the lower end of the stock or handle.”</p>

Aluotto, Col. 2, ll. 28-49: “As stated at the outset, the present invention may find application on the smaller version of the handgun having what may be referred to as a standard variant. For example, the Colt 0.45 Standard Model, also known as the 1911 Government Model, is used with a seven-round magazine, and is loaded and unloaded by inserting this magazine into the stock. This handgun has a smaller version referred to as the Colt 0.45 Officer's Model, which differs from the Standard Model, by having a shorter barrel and stock. Normally, the Officer's Model is used with a six-round magazine. The stock extender of the present invention, when placed and secured to the lower end of the standard seven-round magazine, may be used to lengthen the stock of the Officer's Model by an amount equal to the difference in length between the six-round magazine and the seven-round magazine, that is, by approximately an additional one-half inch. Accordingly, the stock extender, when used with the standard seven-round magazine, can provide the Officer's Model with a stock equivalent in overall length to that of the Standard Model.”

Aluotto, Col. 2, ll. 50-57: “More broadly and generally stated, a handgun of the sort loaded by inserting an ammunition-bearing magazine into the stock or handle may be provided with a longer stock by using a longer, but compatible, magazine and the stock extender of the present invention. The longer stock, of course, may be capable of holding one or more additional rounds.”

a grip extender with symmetrical interior side walls,

Aluotto, Figures 3 & 4:



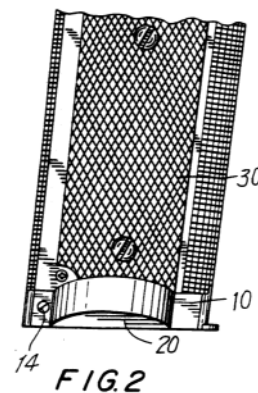
In particular, Figure 4 is described as “circumferentially continuous.” Col. 3, ll. 43-44.

an exterior front wall configured to a user’s grip,

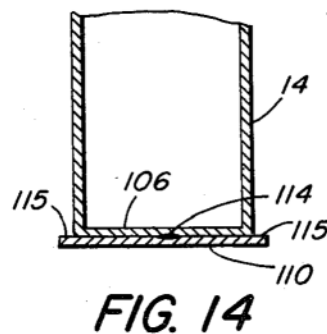
Aluotto, Col. 1, ll. 25-40: “Although smaller handguns remain popular among gun enthusiasts because they are lighter and more compact than standard models, a user having a large hand may find that his little finger resides below the lower end of the stock when gripping the handgun. As a consequence, the large-handed user may not be able to grip the handgun as well as another user, whose hand is more comparable in size to the stock. The accuracy with which the large-handed user may fire the handgun will almost inevitably suffer. The present invention addresses and provides a solution to these problems, and has been designed to enable a large-handed user to handle a small handgun more reliably and safely, and to enable him to grip such

	<p>a handgun with his entire hand. When the grip is improved, better accuracy must follow.”</p> <p>Aluotto, Col. 1, l. 63- Col. 2, l. 6: “Preferably, the stock extender is shaped circumferentially to follow the contour of the frame, wood grips and other materials on the stock of the handgun, so that, when in use with the handgun, the stock extender affords the hand of a user a continuous, substantially smooth surface for gripping. Where the lower end of a stock is bevelled for aesthetic purposes, the stock extender may also be bevelled on the one hand to provide an intimate fit against the lower end of the stock, and on the other hand to provide the lower end of the stock extender with the same aesthetic appearance as that of the lower end of the stock.”</p> <p>Aluotto, Figs. 3 & 4.</p>
<p>and a rear wall, for use with the handgun magazine to fill a gap between the magazine and the handgun,</p>	<p>See Aluotto, Col. 1, ll. 25-40 and Col. 1, l. 63 – Col. 2, l. 6, and Figs. 3 & 4.</p> <p>Aluotto, Col. 2, ll. 57-61: “More importantly, the lengthened stock is more reliably gripped by larger-handed users, and enables such users to handle the handgun more comfortably and to shoot it more accurately.”</p> <p>Aluotto, Col. 3, ll. 6-15: “Typically, the lower end of the stock 30 is provided with bevels 32 for aesthetic or other purposes. The stock extender 10 is preferably shaped with inclined surfaces 16 matching bevels 32, so that the stock extender 10 may intimately fit against the lower end of stock 30. The outer circumferential contour 18 of the stock extender 10 corresponds to that of the stock 30. The stock extender 10 may also be provided with bevels 20 to provide the lower end of the stock</p>

	<p>extender 10 with the characteristics of the lower end of the stock 30.”</p> <p>Aluotto, Col. 3, ll. 20-26: “The stock extender 10, when abutting the lower end of stock 30, forms a substantially continuous surface therewith for gripping by the user of the handgun. The stock extender 10 is shaped to intimately fit against the lower end of the stock 30. Stock extender 10 may have bevels 20 analogous to those found at the lower end of the stock 30 of the handgun.”</p> <p>Aluotto, Claim 1: “. . . said magazine being longer than said stock and said stock extender having a thickness in an axial direction equal to the amount by which said magazine is longer than said stock, whereby said stock may be lengthened by an amount equal to the thickness of said stock extender to facilitate the gripping of said stock by a user of said handgun . . .”</p>
with said magazine having an open top for loading ammunition cartridges	Aluotto, Claim 1: “. . . said magazine having an upper end, from which ammunition is dispensed . . .”
and a closed bottom for containing said ammunition cartridges, said closed bottom ending in a floor plate, of determinable thickness, with a lower surface and an upper surface, with said floor plate also having a peripheral surface larger than a peripheral surface of a corresponding body of the magazine,	<p>Aluotto, Claim 1: “. . . said magazine having . . . a lower end”</p> <p>Aluotto, Fig. 2:</p>



Bross, Col. 5, ll. 24-33: "Another type of magazine 14 is formed of one piece as shown in FIGS. 14 to 16. The one piece magazine has a closed bottom 106. In FIG. 14 flanges are provided by securing a plate 110 to the bottom of the magazine 14 by permanent means such as a spot weld 114 or by removable means such as screws. The plate extends beyond the edges of the walls of the magazine thereby providing flanges 115. The same principle of staggered mating interrupted flanges and slots would be applied to assemble the magazine to the pommel as described above."



said grip extender further comprising:	
<p>a) a one-piece collar slideably mounted from the open top of said magazine and subsequently seated at the closed bottom of said magazine thereby substantially filling any gap resulting from a length of the magazine protruding from a handgun when said magazine is engaged into said handgun,</p>	<p>Aluotto, Col. 1, ll. 50-59: “The stock extender itself is a collar, typically fashioned from a light-weight metal, such as aluminum, or other substance, such as plastic, which fits around a magazine of greater length than that ordinarily used with the handgun. Being generally in the shape of a collar, the stock extender defines an opening, through which the magazine may be inserted. The stock extender resides about the lower end of the magazine, the upper end being that inserted into the handgun to dispense ammunition into its firing chamber.”</p> <p>Aluotto, Col. 3, ll. 27-35: “FIG. 3 shows the stock extender 10 positioned over the upper end of an ammunition magazine 26, as it would be prior to installation thereon. In actual use, the stock extender 10 may be installed on ammunition magazine 26 by inserting the upper end through the opening 40 defined by the collar-like shape of the stock extender 10, and by sliding the magazine 26 through opening 40 until the stock extender 10 resides about the lower end of the magazine 26.”</p> <p>Aluotto, Claim 1: “. . . said stock extender being a collar defining an opening and fitting around the lower end of said magazine, said magazine being inserted through said opening up to said lower end. . . . said magazine being longer than said stock and said stock extender having a thickness in an axial direction equal to the amount by which said magazine is longer than said stock, whereby said stock may be lengthened by an amount equal to the thickness of said stock extender to facilitate the gripping of said stock by a user of said handgun . . .”</p>

<p>said collar having a size and shape sufficient to elastically receive and grip the magazine and magazine floor plate thereby securely retaining the collar</p>	<p>Aluotto contemplates the extender being made from plastic. <i>See</i> Col. 1, l. 52.</p> <p>Aluotto also contemplates the extender “resid[ing] about the lower end of the magazine 26,” Col. 3, ll. 34-35, and that “the opening 40 is dimensioned so that the stock extender 10 may fit snugly about the magazine when screw 14 is tightened,” Col. 3, ll. 37-39.</p> <p>Aluotto, Claim 1: “. . . said stock extender . . . fitting around the lower end of said magazine”</p> <p>Aluott, Claim 2: “The improvement as claimed in claim 1 wherein said opening of said stock extender is shaped to correspond to the cross-sectional shape of said magazine, so that said stock extender may fit snugly around said magazine.”</p>
<p>and having at least one pair of opposed tangs oriented inward from the interior side walls of the collar; and</p>	<p>Though Aluotto specifically discloses use of a screw for securing the collar about the magazine, other manners of securing the collar are known.</p>
<p>b) further comprising at least one pair of opposed ribs, said ribs oriented inward from the interior side walls of the collar,</p>	<p>For example, from Bross, a rib/tang arrangement is disclosed:</p>
<p>with a bottom shoulder of said ribs distanced above the tangs, said distance approximately equal the determinable thickness of the magazine floor plate; and</p>	<p>Col. 2, ll. 51-58: “Longitudinal slots are formed in the wall and longitudinal flanges are formed at the butt end of the magazine. The slots and the flanges are arranged with mating interruptions in staggered relationship to permit the butt end of the magazine to enter the interior recess and to align the flanges with the slots to attach the pommel to the magazine by sliding engagement.”</p> <p>Col. 4, ll. 29-42: “The lateral walls 90 of the recessed interior 80 contain slots 92. The walls 90 are not continuous; hence the slots 92 are interrupted as at 94 and 96. The length of the</p>

	<p>interruptions 94 and 96 are slightly greater than the length of the flanges 72 and 74 on the magazine. The wall portion 90 where the slots 92 are found are slightly shorter in length than the interrupted portion 70 on the magazine 14. The interruptions 96 are at the trailing end 102 of the interior 80 of the pommel and correspond in position to the trailing flanges 74 on the magazine. The slots 94 at the leading end 100 of the recessed portion 80 and the flanges are in staggered mating relationship to each other.”</p>
<p>c) when sliding the grip extender into its final position on the magazine, a step of the said tangs engages the lower surface of the floor plate and captures the corresponding upper surface of floor plate against said the bottom shoulders of the opposed ribs.</p>	<p>From Aluotto, Col. 1, ll. 59-62: “Means may be provided on the stock extender to enable it to be tightened and secured firmly to the lower end of the magazine.”</p> <p>From Bross:</p> <p>Col. 2, ll. 41-47: “There are releasable interlock means on the butt end of the magazine and complementary releasable interlock means within the confines of the recessed interior of the pommel. The pommel and the magazine may be secured together with the interlock means completely obscured from view when the magazine is inserted into the grip of the handgun.”</p> <p>Col. 43-68: “The pommel 16 is assembled to the butt end of the magazine in the following manner. The follower 48 is inserted into the magazine 14 from the open bottom. It is engaged by the spring 42, the trailing end 49 of which is inserted through the turned up tongue 50 of the detent plate 52. While the detent plate 52 is held manually in position near the butt end of the magazine, the butt end is moved into position in the interior recess 80 of the pommel with the trailing flanges 74 aligned with the interruptions 96 and the forward flanges 72 aligned with the</p>

interruptions 94. The magazine is urged downwardly into the recessed portion 80 until the flanges are aligned with the slots. The detent 54 on the detent plate 52 enters the recessed ramp 86, its sides being contained by the walls 88 of the ramp to align it with the detent recess 84. When so aligned, the magazine 14 is urged to the right relative to the pommel as viewed in FIG. 10 with the leading flanges 72 entering the slotted portions 98 and the trailing flanges 74 of the magazine, moving from the interrupted areas 96 into the slots in the wall portion 99. This relative movement continues until the detent 54 engages the recess 84 under spring pressure while the leading edge 60 of the magazine interfaces the leading end 100 of the recessed portion 80. This places the pommel in a firm and secure location as the base of the magazine."

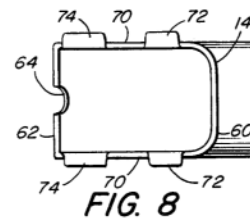


FIG. 8

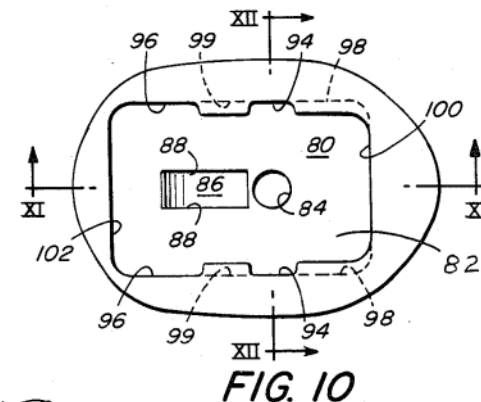


FIG. 10

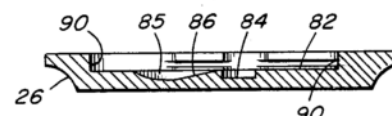


FIG. 11

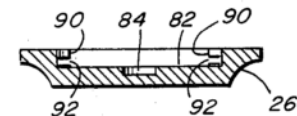


FIG. 12

	<i>See also</i> Col. 5, ll. 46-49: “There may be many forms and configurations of structure for securing the pommel to the magazine, the above being merely illustrations and not limitations thereof.”
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Language from Patent-In-Suit	Disclosure in Reference
4. The grip extender claim 1 further comprising a lower surface depending below the magazine floor plate thereby protecting said magazine from impacts with surfaces when the magazine is released from a handgun during reloading.	See <i>supra</i> (regarding Claim 1), and Bross, Col. 4, l. 26 (referring to “floor 82”).